SINGLE BENCH

(2) (4)

CF-1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. (S) No. 854 / 2006 ~~7~~

PETITIONER : Smt. Pratibha Sahu, W/o. Shri Madan Lal Sahu, aged about 44 years, Assistant Teacher, Govt. Middle School, Brindanagar, Camp-I, Bhilai Distt.- Durg (C.G.)

P.R. No. 6757/06
Presented by Shri V. Tiwari
dated 25-11-06

VERSUS

RESPONDENTS :

1. State of Chhattisgrh, Through – The Secretary, Education Department, D.K.S. Bhawan, Raipur (C.G.)
2. The Director, Public Instruction Department, Chhattisgarh Govt. Raipur
3. District Education Officer Durg, Distt. - Durg (C.G.)
4. Block Education Officer, Durg Distt. - Durg (C.G.),

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WRIT PETITION UNDER ARTICLE 226/~~227~~ OF THE CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONER.**

(25)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 854 of 2007

Petitioner : Smt. Pratibha Sahu

Versus

Respondents : State of Chhattisgarh and others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Present: Mr. Vipin Tiwari, Advocate for the petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the respondents/State.

O R D E R

(Passed on this 13th Day of February, 2007)

1. The petitioner was appointed on 30.12.84 (Annexure P/1) as Assistant Teacher on fixed pay scale of Rs. 300/-. After completion of two years probation, he was granted regular pay scale of Rs. 545-925/-.

2. Learned counsel appearing for the petitioner submits that the issue involved in the case is asto whether, the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or after completion of probation period.

3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment.

was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioner further submits that this Court, while considering the same issue in Aeman Jain vs. The State Government of Chhattisgarh & another (W. P. No. 1463/2006) by order dated 10.11.2006, has granted regular pay scale w.e.f. the date of initial appointment.

5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Aeman Jain vs. The State Government of Chhattisgarh & another (Supra).

6. In view of that, this petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

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